

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

*H5*  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
ENTERED

APR 27 1995

**UNITED STATES OF AMERICA**

**versus**

**KOCH INDUSTRIES, INC., ET AL.**

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§  
§  
§

Michael N. Milby, Clerk

**CIVIL ACTION NO. H-95-1118**


**ORDER**

This case has been transferred to the docket of United States District Judge Vanessa D. Gilmore.

IT IS THEREFORE ORDERED that the initial pretrial and scheduling conference is reset to September 1, 1995 at 1:30 p.m. before United States District Judge Vanessa D. Gilmore in Courtroom 10B, 10th Floor of the United States Courthouse located at 515 Rusk, Houston, Texas. Counsel shall file the attached Joint Report of the Meeting & Joint Discovery/Case Management Plan no later than ten (10) days before the conference.

The Clerk shall enter this Order and provide a copy to all parties.

DONE this 26th day of April, 1995.

  
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**VANESSA D. GILMORE**  
**UNITED STATES DISTRICT JUDGE**

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

INSTRUCTIONS FOR THE PREPARATION OF THE  
JOINT REPORT OF THE MEETING &  
JOINT DISCOVERY/CASE MANAGEMENT PLAN  
UNDER RULE 26(f)  
FEDERAL RULES OF CIVIL PROCEDURE

*Please restate the instruction before furnishing the information.*

1. State where and when the meeting of the parties required by Rule 26(f) was held, and identify the counsel who attended for each party.
2. State the nature of the case.
3. List the cases related to this one that are pending in any state or federal court with the case number and court.
4. Specify the allegation of federal jurisdiction.
5. Name the parties who disagree and the reasons.
6. List anticipated additional parties that should be included, when they can be added, and by whom they are wanted.
7. List anticipated interventions.
8. Describe class-action issues.
9. State whether each party represents that it has made the initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures.
10. Describe the proposed agreed discovery plan, including:
  - A. Responses to all the matters raised in Rule 26(f).
  - B. When and to whom the plaintiff anticipates it may send interrogatories.
  - C. When and to whom the defendant anticipates it may send interrogatories.
  - D. Of whom and by when the plaintiff anticipates taking oral depositions.
  - E. Of whom and by when the defendant anticipates taking oral depositions.
  - F. List expert depositions the plaintiff anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).
  - G. List expert depositions the defendant anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).



- 11. If the parties are not agreed on a part of the discovery plan, describe the separate views and proposals of each party.**
- 12. Specify the discovery beyond initial disclosures that has been undertaken to date.**
- 13. State the date the planned discovery can reasonably be completed.**
- 14. Describe the possibilities for a prompt settlement or resolution of the case. Were these matters discussed in your Rule 26(f) meeting?**
- 15. Magistrate judges may now hear jury and non-jury trials. Indicate the parties' joint position on a trial before a magistrate judge.**
- 16. State whether a jury demand has been made and if it was made on time.**
- 17. Specify the number of hours it will take to present the evidence in this case.**
- 18. List pending motions that could be ruled on at the initial pretrial and scheduling conference.**
- 19. List other motions pending the parties expect to file.**
- 20. Indicate other matters peculiar to this case, including discovery, that deserve the special attention of the court at the conference.**
- 21. List the names, bar numbers, addresses and telephone numbers of all counsel.**